

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AUBREY CHRISTIAN,

Plaintiff,

v.

DANIEL L. DUCATT, et al.

Defendants.

Case No. 2:13-cv-13931

Judge Stephen J. Murphy, III

Magistrate Judge Anthony P. Patti

**ORDER GRANTING PLAINTIFF'S MOTION TO STAY DISCOVERY
(DE 43)**

On September 13, 2013, Plaintiff filed his complaint against multiple defendants. DE 1. On July 15, 2014, he filed a motion (DE 28) for leave to file an amended/supplemental complaint, which was granted in part by this Court on February 12, 2015 (DE 56). Previous to that, on September 19, 2014, various defendants filed a motion for leave to take Plaintiff's deposition (DE 41), which was granted on October 23, 2014 (DE 51).

Plaintiff now asks the Court to stay discovery (DE 43) pending the resolution of his motion (DE 28) for leave to file an amended complaint and to allow time for the filing and service of the amended complaint. This motion is unopposed.

Since leave to amend his pleadings has in fact been granted, which included permission to add additional parties, the Court agrees that there is good cause to stay discovery to allow time for the prospective amendment and service of pleadings. The Court may control the timing and sequence of discovery under Fed. R. Civ. P. 26(c), and judicial economy favors a pretrial plan which avoids duplicative discovery. *See, e.g., Wood v. McEwen*, 644 F.2d 797, 801 (9th Cir. 1981); *In re First Energy S'holder Derivative Litig.*, 219 F.R.D. 584, 587 (N.D. Ohio 2004). Moreover, the Court may stay proceedings under its inherent power to control its own docket. *Landis v. N. Am. Co.*, 299 U.S. 248, 254-55 (1936) (Cardozo, J.). Staying discovery for a short period in the hope that all previously and/or soon to be newly named defendants will be properly served will diminish the likelihood of depositions and other discovery having to be repeated.

Accordingly, Plaintiff's Motion to Stay Discovery (DE 43) is GRANTED, and all discovery will be stayed until further order of this Court.

IT IS SO ORDERED.

Dated: February 13, 2015

s/Anthony P. Patti

Anthony P. Patti

UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on February 13, 2015, electronically and/or by U.S. Mail.

s/Michael Williams

Case Manager for the
Honorable Anthony P. Patti
(313) 234-5200